WEDNESDAY, AUGUST 24, 1881.

Amusements Tarbay,

Bijou Oyers House-Rooms for Ren Bunnell's Museum-lires/way and 9th st. Daly's Pheater-Cindersia at Scine t. Matines. Seand Opera House-The Escher's Daughter. Braverty's 14th St. Theatre-ine Strategists. Matin Payerty's Vibto's Garden-My Geraldus, M. tines. Haverly's 5th Avenue Theater-Suif. Maliner. Madison Square Theater-The Professor. Metropolitan Concert Half-Concert. Standard Theatre-A Massinger from Jarris Section, Union Square Theatre-Coney Island. Windsor Theatre-Evangelic, Matthew,

The President's physicians said last evening that there had been some improvement In his condition since Monday. He was able to take more food, and the choking of his throat, which had been taxing his strength and disturbing his rest with coughing, had been further relieved. These were the hopeful features of the case yesterday. On the other hand, the swelling of the neck has not vielded to treatment, and still threatens to add the drain of another, though a comparatively slight, suppuration to that exhausting demand which has wasted the President's body. The slight gain from day to day since the relapse of last week amounts altogether to an improvement too small to diminish at all the critical character of the case, or as yet to encourage hope.

### The Supreme Court.

The suggestion that the Supreme Court of the United States should be created a special tribunal for deciding any question of "inability" on the part of the President or of the Vice-President to "discharge the powers and duties" of the Executive office. meets with little favor, and should receive no encouragement.

The lesson of 1876 is fresh in the public mind, when three of the five Judges on the Electoral Commission absolutely made a Fraudulent President against the votes of a large majority of the people of the whole Union, against a majority of the Electoral Colleges, and against as free and as fair an election as ever was held in this country.

Those Judges arbitrarily refused to admit testimony repeatedly proffered in a variety of forms, and conformably to the practice of the Supreme Court, knowing that the frauds would have been clearly proven. Their extreme partisanship was prenounced from the start, and the case was prejudged in fact before the Commission ever met. The hearing was only a formal farce.

If the people had not been educated in obedience to law, and had not united forbearance to this schooling, that infamous decision, which will go down into history as an ineradicable stain on the judicial ermine. would not have been tolerated. In Europe it would have resulted in revolution.

That experience is a warning to exclude the Supreme Court from any connection whatever, except in the functions assigned to it by the Constitution, with the proper concerns of the executive and the legislative departments. It is very easy to see, i the sad state of Gen. GARPTELD's health and the threatened possibilities attending it, that if this Court were now clothed with the proposed power, it would become the sport of factions, and might again decide the Presidency according to its prejudices

or its interests. The departure from consecrated usage and from constitutional methods in 1876 gave a severe shock to our institutions, and silenated confidence from the Court. This lost ground has to be recovered, and the return is by no means easy. The first duty is to restrict the Court within its sphere, and to refuse absolutely any enlargement of 'ts jurisdiction.

## The Elections in France.

The general election for members of the Chamber of Deputies held in France on Sunday, seems to have two important resuits. The monarchical party, regarded as a dangerous factor in French politics, has practically disappeared, white the Opportunist section of the Republican party represented by GAMBETTA has retained its ascendancy in the country at large, not withstanding some loss of ground in Paris.

It will be remembered that the last Chamber of Deputies was chosen under circumstances extremely favorable to the success of the Conservatives, and as a matter of fact, more than sixty Conservatives were unseated for bribery or intimidation. But although the winnowing process was so rigorously carried out, the enemies of the republic retained sufficient strength in the popular branch of the Legislature to materially embarrass the Republican majority at more than one critical conjuncture. The fact, too, that they were able to rely for moral support on a considerable following in the lower House emboldened the Conservatives in the Senate to resist the wishes of Republicans, as they did on three notable occasions, viz., in rela tion to the bill aimed against the Jesuits. the amnesty project, and the substitution of the scrutin de liste for the present method of election. In the first instance the Ministry were constrained by the action of the Senate to abandon their proposed law, and proceed against the Jesuits by decree; in the second case the Amnesty bill was amended; and finally the scrutin de liste was poremptorily rejected.

It is extremely unlikely that the Senate will have the boldness to thwart the will of the present Chamber of Deputies. Of the the sents comprised in the new assembly-a small number were added during the last session-the Conservatives have not even tried to contest more than 190, and in many constituencies where they deemed it needful to put a candidate in the field, in order to keep up the semblance of organization, the struggle was known to be quite hopeless. As a matter of fact, they have elected only \$5 delegates; that is to say, the three moparchical factions and the so-called Conservative Republicans, who are equally opposed to a progressive policy, but who have only carried 41 seats, will now find themselves collectively outnumbered by nearly

four to one. This rapid and complete eclipse of a reastionary element, which only a few years ago in the Versailles Assembly was decidedly dominant, is due, of course, to one main cau-o, the smooth and effective working of republican institutions; but two minor agencies have in some degree contributed to the disintegration of the party opposed to the existing Constitution. One of these agencies is the collapse of the Bonapartist party, through the irreconcilable estrangement of the old leaders from the present representative of the Napoleonic dynasty. The other is the circumspect attitude of the French elergy, who, under the wise direction of LEO XIII, have refused any longer to identify the Church with monarchy.

As regards the division of opinion among Republicans, it would appear that the Left proper and the so-called Republican Union, with which political groups Gamberra has

they act together, a more irresistible ascendancy in the new Chamber than they possessed in the last. They have already won 329 seats, to which additions will be made on the second ballots, of which 65 are necessary. It has lately been reported that Premier FERRY has made his peace with GAMBETTA, and if he continues to hold office will do so under pledges to gratify the latter's wishes, including his predilection for the scrutin de liste. The fact, however, that GAMBETTA has at best barely carried the two electoral districts of Belleville may materially lessen his influence; though, after all, his check in this quarter simply means that he has ceased to think a destructive programme the proper policy for a statesman who has a reasonable prospect of controlling France. But while the prodent progressiveness which bears the name of opportunism may cost its advocate some votes in certain districts of Paris, it will more and more powerfully commend him to the confidence of the mass of his countrymen.

### The Troubles in Sonora.

The unusual condition of quiet subsisting ately on the Mexican border is already ended. A series of fights between Mexican and American herders and ranchmen, who have been engaged in stealing cattle from each other, has developed into a movement to invade Sonora, and the troops in that State are preparing to repel the raid. Gov. FREMONT, whose position as Chief Magistrate of Arizona has hitherto been some what ornamental, chances to be absent at this time of need, so that the confusion is increased. Two companies of the Sixth Cayalry, however, are said to be now near the scene of trouble, and our troops should cooperate with the Mexicans in preventing the contemplated violation of the frontier.

The origin of the trouble was the thieving expedition of a party of Americans who crossed into Mexico a few weeks ago and stole some cattle. The owners followed them so fast that they dropped a part of the booty in their flight. It is said that the Mexicans indemnified themselves by picking up not only what they could of their own property, but enough Arizona horses and cattle to make up their losses. This speedily produced another raid from the Arizona side, and the Americans, having gathered together a large quantity of Mexican stock, were pursued. The Mexicans came up with a part of the raiders in Guadalupe Cañon about ten days ago, and killed five out of seven men, wounding a sixth. This last event in these mutual forays caused the organization of a body of over two hundred men, with the purpose of

invading Sonora and taking vengeance. Such seems to be substantially the story of the border troubles, although there is some variation in the report of details. There is probably little to choose between the opposite parties engaged in them; but the first act of plunder appears to have been committed by Americans. The one thing evident is that our Government cannot permit an organized body of men to raid into Sonora, on pretence of avenging out-

rages brought about by their own acts.

The folly and wrong of the example set by the HAYES Administration on the Rio Grande now receive a fresh illustration. The Sonora border is evidently infested by a set of cattle thieves, whose murderous raids are not widely different from those which have occurred on the Texas line. The HAYES Administration took the ground that the pursuit of thieves into Mexican territory by regular troops was a justifiable act. Following this precedent, Gen. Jose OTERO, now commanding the Mexican forces on the Sonora frontier, could with as much reason pursuo American thieves into the Territory of Arizona. So far from doing this, however, the Mexican officers are endeavoring to prevent any They have already expressed th view that the raids of the last month, during which the people of Sonora have lost much life and property, are the work of outlaws, for which neither the authorities of Arizona nor those of Washington should be held responsible. In other words, they see that the garrisoning of so long a line of frontier, in a way to absolutely prevent any possibility of incursion, would involve a preposterous expense to both countries. They ask for the Sonora border, as for the Rio Grande, harmony and efficient coopera-

lar forces, with mutual rights and duties. If this plan is adopted, there may be a chance of ridding the border of its pests; and the schemers of invasion and annexation can build no hopes on sensations arising out of the incursions and skirmishes of

tion between American and Mexican regu-

### cattle thieves. Timely Questions.

The Boston Herald has some remarks on the Vice-President. "ARTHUR's connection with the CONKLING struggle," says the Herald, "and the shameless character of that struggle, disgusted the better thinking

What does the Herald mean by "the shameless character of that struggle?" Does it mean that there was anything shameless on the part of Mr. Conkling and his friends? From the beginning to the end of the contest, was there anything in the conduet of Mr. CONKLING or in the conduct of those members of the two Houses who supported him that can properly be described as shameless? Did they attempt to bribe anyhody? Did they put up money for this purpose? Was any money of theirs, offered as a bribe, found in the possession of any member of the Legislature?

Or did they bribe any one with offices? Perhaps, however, it may not be shameless to offer offices as bribes. What is the opinion of the Herald on this question?

It was indeed a shameless struggle; but the shamelessness was entirely on the side of the Administration and of the Half Breeds. It is an interesting fact, moreover, that the corrupt men, the rascals, the thieves, in the Legislature, the men who are habitually addicted to bribe giving and bribe taking. the men who make money out of legislation, were all enlisted against Mr. CONKLING and

The White House doctors seem to have double duty imposed on them—or, at least, they do double duty. They prescribe not only drugs for the President, but soothing news for the people; they have to doctor not only the patient but the bulletins.

against Vice-President ARTHUR.

SIT CHARLES GAVAN DUFFY is now spoken of as a man ambitious to hoist sail on the stormy sea of Irlah patriot polities. The chances of his making shipwreck are great. He was a figure in the Young Ireland party of 1848; but thirtythree years make changes, and in CHARLES GAVAN DUFFY they have made the very remarkable change that a large part of his life has been spent in Government office in Australia, where he was knighted. That Sir CHARLES GAVAN DUFFY would strike very hard for national aspirations against the form of rule to which he owes knighthood and all that the word implies may reasonably be doubted.

San Domingo has just had another small consation in the shooting of fourteen a lherents of ALVAREZ. Popular taste for excitement there been intimately allied, will have, should has apparently become voracious; for, not con- | severy.-Dr. Bin. Aug 22

tent with the regular revolutions, even the brief intervals are now fitled up with slaughters of the captives.

To all appearance, it is fortunate that Capt. H. W. Howgare's service in the army ended where it did. Had he succeeded in getting himself appointed Chief Signal Officer, the curious developments now made would doubtless have been held back, and would have gathered a good many others to them when the disclosure at last came. Hence, in the contest of HAVEN with Howcare over the Signal Office and its Brigadier-Generalship, it is probably well for the country that the former won, even though his horse did persist in running to the

We invite the attention of our esteemed contemporary, the Boston Post, to the fact that it does injustice to the Truly Good man. It speaks of the Cincinnati Gazette as " Deacon SMITH'S paper." This is entirely wrong. "Deacon SMITH" is as good as no name at all, while Deacon RICHARD SMITH has become one of the most illustrious appellations known to any age. Let the Boston Post be more careful in the near future!

The economical view of marriage is carefully taught in the recent removal of some restrictions hitherto placed on French soldiers. Non-commissioned officers may now marry. after a certain length of engagement, provided their sweethearts have \$1,000 each, or \$50 per annum of assured income. This is a new application of the degree of truth in the ancient jest which pronounces matrimony matter o

It is to be hoped that the Staten Island avengers will not do anything rash. In a meeting of the patrons of a tavern in the town of Westfield, on this island, all present took a solemn oath to go to Washington, at their own expense, in case of the President's death, in order to avenge him. Such a movement, in a little community like that, is rather alarming. Fortunately, the authorities at Washington are orewarned. If the Westfield tavern avengers propose to lynch Guiteau, they will probably be shot by the guards there. If they attempt to lynch the doctors, they will undertake a doubly hazardous task, and if they try to lynch James G. BLAINE it will go hard with them. On the whole, it is difficult to see what these oathbound frequenters of the Staten Island tavern can do by a visit to Washington, even at their own expense.

There have been two recent occasions in which colored soldiers fought nobly; one was a fight with Nane's Apaches, and the other the fight on the railroad train against masked robbers. Now, however, comes news of a third fight, in which, it is said, negro soldiers fied when the Indians attacked, thus causing one of their officers to be killed and another wounded But it is hardly fair to accept this story without verification. Thus far in Texas and New Mexico the blacks have stood up bravely against the

## THE FLUCIUATING POLITICIANS.

Washington, Aug. 22 .- The thoughts of nen at the national capital are naturally on the President alone. Three-fourths of the population of Washington, if not a greater proportion, is dependent on or in some way related in dollars and cents to the Government. A change of Administration, which is felt to be impending, may in some way affect the pockets

of them all. Apart from this there is another but a nearly related interest: that which the politician feels. It seems to be felt elsewhere, for Halstead of the Concinuati Commercial manifests it, and illustrates the way some men, who constitute a considerable class, are influenced by changing circumstances. He despairs of Garfield, but is full of hope concerning Arthur, while as to Conkling he has no fears. Halstead, the author of the tomahawk and scalping knife, the knockdown and drag-out policy of the Administration toward Conkling and Arthur, has already seen the light. His face was early turned to the rising sun, or the place where it is expected. Halstend is a type of a great many sun worshippers, who are chiefly intent on being early at the rising.

This and a few kindred facts describe fully the state of the practical politician's mind, of the officeholder and office speker, and the tens of thousands of others from whose ranks the average convention delegate and committeeman are usually taken. Yesterday they were one thing; to-day they are preparing to change. Arthur, the conspirator who shared in all that was infamous in Conkling yesterday, has become the good and safe man, the possible President who will be an honor and a blessing to the country, with Conkling a considerate adviser! The whoop of the tomahawk and scalping knife organs has ceased and the dulcet notes of fond regard are heard in its stead.

Was there ever such a transformation scene? It will be something scored to deceney whether felt or felgned, these words now spoken of the great eliminated, the Vice-President, so lately contemptible and unworthy, and inferentially of the despised and traitorous Stahwarts as a class. The words cannot be taken back, whatever the event. They who will have spoken them will also have painted their own portraits. All such will have carned all they will receive. However the suspense of the present ends, it is no inconsiderable thing to hear men like Halstead admitting now that, in the event Gen. Arthur becomes President, there is no probability Mr. Conkling will seek to improve the opportunity for revenges and rewards, and that there exists no danger of his doing as that the mass of those from whom the leaders for a time secured applause while eliminating Mr. Conkling directly, and Mr. Arthur indirectly, are sincere in professing a desire to atone for the injustice, and recall the injurious things said of them. To the leaders, however, no such motive can be accorded. The nearer to Mr. Blaine one gets, the more interesting this fact becomes.

As to Mr. Blaine at the present interesting juncture, one can plainly see in the changed tone toward Mr. Arthur and Mr. Conkling how precarious is the Secretary's hold on even his body guard, and how it is the spoils solely that give him any hold even on them. With those who have put up the tomahawk and display the olive branch, and seemingly would do almost anything else to quicken in the breasts of Mr. Arthur and Mr. Conkling the sentiment of forgiveness, the next thing will be to display their seculiar tomahawk practice on Mr. Blaine. Logically, and with such sort of people naturally, this will follow: and only let fateful chance make Mr. Arthur President, and the whole world will see Blaine fleeing to the mountains and forests of Maine to escape from his late worshippers. If he be a wise man, he will have his house fully set in order and be geneles. It subsequently disappeared. The himself ready for whatever is in store.

## The Medical Lauguage and the English Lan

MERCHAN Sometimes upon He is out of his head awaking from sleep he has at times, but temporary hallucina

tions, such as might have been expected in a patient in h condition. These manifestations are caused by the want of perfect nutrition for the brain and by the toxic condiion of the system. - Dr. Win, Aug. 22.

Judging from the reports.) The nus has probably been conclude the symptoms of poissoning the blood for a y-min existed prior to the month. There is no doubt wration made for the open of it now. In such cases isg of the wirst abscess or the patient is likely to die. pua. It any doubt had existed prior to the appearance of

the inflamed condition of the parotid giant as recards District being present and acting an important part in the concatenation of the President's symptoms, none can saist now. Præmia occurring during the progress of severe surgical injuries is regarded as of the etimost cravity, and as a suspected prognostic of a futal termina

I have continued to seel the | I hope he will get well, greatest confidence in his reTHE INABILITY OF THE PRESIDENT.

To the Editor of The Sun-Sir: An attempt was made in a former communication. as a layman, without presuming to set up as an expounder of the Constitution, to interpret that clause which declares, " in case of the inability of the President to discharge the powers and duties of the said office, the same shall devoive on the Vice-President."

This question assumes the gravest importance now, when the President's life hangs by a trembling hair, and when there is neither a President pro tempore of the Senate nor a Speaker of the House of Representatives, who, by the act of 1792, are made provisional successors to the President, after the Vice-President.

The views heretofore expressed were intended to draw out intelligent opinion, and not to formulate dogmas on a clause open to doubt. The discussion thus far has not been instructive, because most of the writers who have engaged in it assume to interpret the intention of the framers of the Constitution with little regard to their language, and to reason upon socalled analogies, which have no proper appli-

eation to the controverted point. It is unfortunate that any door was left open for dispute to enter. But the fathers had serious differences to reconcile affecting discordant interests, the structure of the Government, and the powers to be distributed under it, which occupied their anxious thoughts. Hence they failed, as Congress failed in 1792, to define when and how "inability" came on, and by what authority it should be decided to exist.

The journal of the Convention of 1787 and Madison's debates are the best sources of information on this subject. Four main plans for a government were offered, from which the parts relating to the President, to the Vice-President, and to the succession to both are ex-

First-The general resolutions of Mr. Randolph, the seventh of which proposed "that a national Executive be instituted, to be chosen by the national Legislature for the term of years, and to be ineligible a second time."

Secondly-The plan of Mr. Pinckney: "Article VIII. The executive power of the United States shall be vested in a President of the United States of America, which shall be his style. \* He shall be elected for --- years, and shall be resligible. In case of his removal, death, resignation, or disability, the President of the Senate shall exercise the duties of his office until another President be chosen. And in case of the death of the President of the Senate the Speaker of the House of Delegates shall do so,' Thirdly-Mr. Patterson's substitute for Mr.

Randolph's resolutions, in which the former proposed "that the United States in Congress be authorized to elect a Federal Executive, to consist of - persons, to continue in office for the term of — years,"
Fourthly-Mr. Hamilton submitted "his

ketch," as follows: "IV. The supreme executive authority of the United States to be vested in a Governor, to be elected to serve during good behavior.

"V. On the death, resignation, or removal of the Governor, his authorities to be exercised by he President of the Senate till a successor be appointed."

After two months of able discussion, a series of the Convention. The ninth declared: "That a national Executive be instituted, to consist of Legislature for the term of seven years, and to be ineligible for a second term."

These resolutions were referred, on the 26th I July, to a committee of detail, composed of Mr. Rutledge, Mr. Randolph, Mr. Gorham, Mr. Elisworth, and Mr. Wilson. That committee reported on the 6th of August the first formal plan of a constitution embodying the incomplete views of the Convention. Here is the "tenth aricle, section 1: The executive powers of the United States shall be vested in a single person. In case of his removal as aforesaid, death, resignation, or disability to discharge the powers and duties of his office, the President of the Senate shall exercise those powers and duties until another President of the United States be chosen, or until the disability of the President

The foregoing article was considered in the Convention on the 27th of August. Mr. Gouverneur Morris objected to the Presilent of the Senate being provisional succe

to the President, and suggested a designation Mr. Madison adds, as an objection that the Senate might retard the appointment of a President in order to carry points while the revislonary power was in the President of their own

body, but suggested that the executive powers during a vacancy be administered by the persons composing the Council of the President. Mr. Williamson suggested that the Legisla ture ought to have power to provide for occasional successors, and moved that the last clause of article 10, section 2, relating to a provisional

successor of the President, be postponed, Mr. Dickinson seconded the pestponement remarking that it was too vague. "What is the extent of the term 'disability,' and who is to

be the judge of it?" This was the only occasion when the "disability" point was raised, and the question then put by Mr. Dickinson is unanswered to-day. after a lapse of ninety-four years. Up to that time "the President of the Senate " to be elect. ed by the body, was alone named to succeed the

President in certain contingencies. On the 31st of August Mr. Sherman moved to refer such parts of the Constitution as have teen postponed, and such parts of reports as have not been acted on to a committee of a member from each State, to be appointed by ballot." Mr. Gilman, Mr. King, Mr. Sherman, Blaine has done. It is unquestionably true Mr. Brearley, Mr. Gouverneur Morris, Mr. Dickinson, Mr. Carroll, Mr. Madison, Mr. Williamson, Mr. Butler, and Mr. Baldwin were chosen. Mr. Brearley made a partial report from this ommittee Sept. 4, with certain alterations and additions, from which the following extracts

are pertinent to the present discussion: "4. After the word Excellency in section 1, article 10, to be inserted: 'He (the President) shall hold his office during the term of four years, and together with the Vice-President chosen for the same term, be elected in the following manner." "

This was the first mention of a Vice-President in the Convention, and that fact is to be kept in mind, as the proceedings were now drawing rapidly to a close.

Mr. Brearley's report continues: "9. The latter part of section 2, article 10, to rend as follows: \* and in case of his the President's) removal as aforesaid, death, abence, resignation, or inability to discharge the powers and duties of his office, the Vice-President shall exercise those powers and duties until another President be chosen, or until the inability of the President be removed."

Observe, in this article, "absence," a temporary condition, is added to the other continfunction of the Vice-President is here explicitly defined, and had it been retained in that form there could have been no controversy over authority so plainly restricted. But it was not finally adopted.

The Convention next proceeded to declare in what manner the Presidential succession might be extended. On the 7th of September "Mr. Bandolph moved to insert in the first section of the report made yesterday the following:

The Legislature may declare by law what officer of the United States shall act as President, in case of the death, resignation, or disability of the President and Vice-President; and such officer shall act accordingly until the time of electing a President shall arrive." Mr. Madison observed that this, as worded.

would prevent a supply of the vacancy by an intormediate election of the President, and moved to substitute, "until such disability be removed. or a President shall be elected." The motion was agreed to.
On the 5th of September a Committee of Re-

vision was appointed, consisting of Mr. Johnson, Mr. Hamilton, Mr. Gouverneur Morris, Mr. Madison, and Mr. King. They reported a rewhich the Convention altered and amended in cape Tree and a specific and a specif

many important particulars. At the close of the article regulating the Presidential succes sion, the committee had overlooked Mr. Madison's amendment on the 7th of September, and had reported "or until the period for choosing another President shall arrive." The Convention made this clause read, "or a President shall be elected;" so that Congress might order an early election, and thus shorten the tenancy

of the temporary incumbent. The Constitution, as finally amended, was en grossed on the 16th and signed on the 17th of September. The grand work was done. The succession to the Presidency was settled in the following words:

In case of the removal of the President from office, or of his death, resignation, or innoining to discharge the powers and deline of the said office, the same shall devolve on the Vice-President, and the Congress may, by law, provide for the case of removal, death, resignation, or insolitiv both of the President and Vice-President, declare what efficer shall act as President and such efficer shall not accordingly until the disability be removed or a President shall be elected.

This clause is plainly divided into two parts, with different conditions. By the first the nowers and duties of the Executive office devolve on the Vice-President, in case of the removal. death, resignation, or inability of the President, By the second, when either of the contingencies happens to both the President and the Vice President, the officer designated by Congressthat is, the President pro tempore of the Senate and the Speaker of the House, respectivelyshall act as President until the disability be removed or a President shall be elected."

No limitation is here put on the Vice-President, but the officer who may succeed him is specifically restricted. The distinction is as broad as language can make it, and for a good reason. The Vice-President is elected by the same methods as the President, and on the same ticket. The Constitution destines him as a possible successor in all the cases named to prevent an interregnum. He is ready at all times to take up the reins of government which may drop from the President's hands. His only other function is to preside over the senate, from which he retires in either of the aforesaid contingencies. There is nothing said

about his acting as President. Neither the President of the Senate nor Speaker of the House is chosen by the people. Hence, the Constitution wisely restricted their occupancy of the Presidential office, and declared they should only "act as President." A wide line was drawn between them and the Vice-President chosen by the popular vote as an alternative President.

The Constitution puts "removal death resignation, and inability" on precisely the same level, and the attempt to separate them is unwarranted. If the fathers had intended the lice-President should only hold the office during disability, surely they would have adopted the plain prescription of Mr. Brearley's report: In ease of his removal as aforecast, death, absence, resignation, or inability to discharge the powers and futies of his office, the Vice-President shall exercise those powers and duties until another President shall chosen, or until the inability of the President be removed.

Such a clause would have shut out the possibility of dispute; but the Convention imposed these temporary conditions on the provisional accessors created by Congress, and placed the Vice-President above them as a possible President fixed by the Constitution itself.

But it is contended that the Vice-President in the four contingencies does not take the office. but only the powers and duties. And on this f resolutions was passed as the general sense assumption an argument is made that he can only hold the Presidency during "inability." and must renounce it on the recovery of the a single person, to be chosen by the national | President. It is not pretended there is any law or any constitutional provision for this going into the Presidency and then going out of it, but merely some analogy. The construction is a refinement of hair splitting, and is dismissed by a prior clause in the first article of the Constitution, which says: "The Senate shall choose their other officers and also a President pro empore in the absence of the Vice-President, or when he shall exercise the office of President of he United States."

This very question was raised forty years ago, when the Vice-President, John Tyler, for the first time became President and took the oath of office as such. Congress decided by great majorities in both Houses that he was not acting as President, but he was in every re spect a complete President. Mr. Fillmore and Mr. Johnson succeeded in the same manner, without challenge, and the precedent is not likely to be disturbed.

If, therefore, the Vice-President becomes a complete President by death, the rule applies equally to removal, resignation, or inability To place the head of a Government of fifty mil-Hons of people, living under a written Constitution, with limited powers, on a footing with corporations and courts, governed by by-laws and regulations for their convenience, and to apply their practices as analogies to be accepted for the succession to the Presidency, is to trifle with big things. Analogies have no place in such a debate

when the guides are clearly posted along the whole highway. This is the first time in our history when "inability" has become a serious matter. Congress has neglected to lay down a rule of action in such a case. Therefore, delicacy, doubt, and discordant opinions embarrass the practical application of the Constitution to this contingency. The real difficulty to be first overcome is, how the Vice-President or his successors can get in, and not how long one or other

f them may stay in. Expounders of the Constitution who dispose of great problems with ease would do well to how some authority by which the Vice-President may enter upon the Presidency, and how also, after having taken the cath of office, he can return to his former place, according to their theory, when the supposed disability is removed. This is not the case of a bank President, whose absence or sickness is provided for by a rule, or by constitutional usage. The Presidency must be closely guarded, and not be left to the perils of accident or adventure.

> CONSTITUTION. NEW MEN FOR CANDIDATES.

### The Hon. Frank Buffy Also Halses his Voice for Democratic Reform.

To the Editor of The Sun-Sir: I see by THE SUN that the Democratic party propose to make nominations for the people of this State to vote for this fall. I agree with you when you say that they had better be careful or they will have their labor for their pains, as they did last year and the years before. I hope they will take your advice-unite and give the people new and fresh men. I will bet \$100,000, if they don't, they will meet the same fate they met last year and in the years before. The people are heartily sick and tired of having third or fourth rate men nominated year in and year out, and out they are, together with those who vote for them.

This time they had better skip some of the old, hackneyed names which have got the voters so tired that they can hardly get up a re speciable cheer for the party. It is a long time seems like a hundred years) since it was Dorshelmer and Seymour Seymour and Blair (bad luck to the pair). The Democrats have been blaring ever since and looking for another Chairman of a National Convention to nominate. Thear some men spoken of for nomination who should be ashamed to show themselves, so unpopular are they, and so useless on any platform except as earnest workers in resurrecting a party they tried to bury.

Some more when I can spare time from my plough, anvil, and loom.

HON, FRANK DUFFY. P. S.-Between Kelly and Gumbleton, Gumbiston and Thompson, it has been gumblegumble incessantly to hoodwink the voters. have heard of nothing but Gumble-Gumbleton for a time the memory of man runneth not to the contrary. Give us a rest, and let us have some fresh blood. The past has buried its dead, and it is nothing more than fair for the dead to

## New York, Aug. 15. A Guard Against Snaker. A guard has been established to exterminate

stay buried.

copperhead snakes, that exist in such numbers as to impede the work of the railroad laborers at line Point, op-

GEN. GRANT AS A BUSINESS MAN. He has Become More Dashing in Dress and

From the Atlanta Constitution LONG BRANCH, Aug. 15 .- Every day about octock Gen. Grant comes dashing along Ocean avenue schind a fine team of bays that draws his heavy T cart. Ordinarily he drives alone; sometimes his son Ulysses is with him, and occasionally one sees Richard J. Dobbins, who owns half of the Branch and plenty of Philadelphia as well, in the seat beside him. Grant is now in the financial vortex. He haunts Wall street, although not as a general speculator, tacks stock and Mexican railroad prespects continually, has become brusque in manner more dashing in dress, and more talkative than ever be fore. Sometimes he wears a blue necktie with a red do in it, and occasionally I notice the plaid pattern of bitrousers is very large as to squares and sensational as to

effect. They say ha is making money.

George W. Childs, the owner of the Philadelphia Leige and one of the blowest hearted, most generous and a that around the world comparatively a roor man, and before the Chicago canvass was over he was a poor man in fact. Now, however, he is worth a clear three-quarters of a million, made in conservative stock speculations, in which he was guided, and is yet, by Jay Gould.

Grant has a nice time at Long Branch. His cottage adjoins that of Mr. Childs, is near Gen. Horace Porter's, is a few lots distant from Pullman's, the palace car man, is only across the ocean drive from Daniel Dougherty's the's the man who nominated Hancock, and is sur-rounded by the homes of others who make the neighborhood as distinguished by the eminence of its residents as they do delightful by the sociability of their intercourse. The General goes to New York every day, leaving on the 9:30 train, and going by boat from Sandy Hook, returning

the same way, leaving New York at 4 He remains the lion of the Branch, notwithstanding the counter attraction of Jay Gould, who lives up toward Atlanticville, and about three miles from Grant's cottage, toward the north. Gould, however, is rarely seen. Sametimes a climber

of him may be had as one whirls along Ocean avenue, as he rocks himself in a red chair in a vine-shaded corner of the veranda of his splendid cottage. Again at dusk there is sometimes a clatter of hoofs and rattle of wheels on the avenue, and, as a splendid team of blacks dart by one catches sight of a solitary figure on the high box seat. The Bickering Weather Prophets.

To THE EDITOR OF THE SUN-Sir: I have read Mr. W. U. Maney's challenge to the weather prophets in yesterday's Scs. I am willing to meet him on the terms. Let a committee of five be appointed. He may select three, and I will select two. I will appear before them and prove by facts and figures that the commonly accepted theories in relation to the causes which produce the changes in the wind and weather are not in ac ordance with natural laws, and, consequently, are not scientific.

Secondly-I am willing to be locked up for two or thre days where I cannot see either the sky or the daily paespers, and let me out at moon, and within one hour after rogress over any city within five hundred miles distant in any direction. I will give the direction of the wind, the movement of the barometer, and the temperature, dear or rain. If it should be a clear, bright day, I will give a description of the weather which may be in prog-ress from the Gulf of Mexico to Maine, without the aid of any instruments whatever, simply by applying my theories in relation to the causes which operate and proluce the changes in our weather.

Thirstly-I will take a boy 10 years old, and, after two weeks of study, he will be able to give a more definite idea of the actual state of the weather which may be in progress over the surrounding country by applying my theories) than any student can give you who may have been in the signal service for the past two years, with the

ise of all their scientific instruments.

I will select two from the following list of well-known gentlement Dr. L. S. Heath, President of Farmers' Clab, New York: Dr. I. P. Trimble, Dr. J. P. Garish, Col. J. M. Jones, Prof. J. W. Boynton, Nathan C. Eti, C. H. Hud son, B. J. Dodge, V. H. Martin, A. W. Boynton, B. V. H.

HACKENSACE, Bergen County, N. J., Aug. 22.

An Associated Press Blunder. TO THE EDITOR OF THE SUN-SIT : THE SUN ines everywhere, and a copy of it dated the 18th ins has found me here. An item in that issue states that I vas mobbed and bustled from the stage in attempting to feliver a lecture at Watertown, Out, the day previous. Permit me the courtesy of your columns to say that I was rever in Watertown, Ont., or Watertown, N. Y.; that I never attempted to lecture in any part of Canada; that I was never histled off the stage anywhere; that my manuscript was not seized, for that is a thing I never se in preaching. Whalever I have to say in preaching ring is in my head. Finally, I could not be in the day mentioned unless I could be in two laces at the same time, like Sir Boyle Roche's bird, for have been here attending Mr. Moody's conference for

last two weeks. Wheever the imposter is that is sailing under my

colors, I hope the next time he attempts to lecture he will be compelled to eat his manuscript. JAMES A. O'CONNOR,

### Paster Independent Catholic Church. NORTHFILD, Mass., Aug. 22.

A Man of the Brooklyn Fourteenth. To the Editor of The Sun-Sir: I am a member of the Fourteenth Regiment, and must say I think there is great injustice done in court martials in my regiment. Some men I know and could name have missed any number of drills, and their names have never been neturned for court martial, while others have been fined or severely punished for lack of duty. Why is this so? Is not one man as good as another? Perhaps the party who wrote the article which appeared in today's Sun stands in with the Captain. Another thing, the scotter the regiment stops blowing about its war record the better. I doubt if there are fifty veterans in the whole command-for what has been its making will the means of its dissolution. So take a tumble in time.

BEOORLYS, Aug. 23. FOURTERSET REGISEST.

A Pleasant Story. To the Entron of The Sun-Sir: Taking he Sixth avenue elevated at Firty eighth street with my emily, finding the train ready to start, I gave the ticket agent a \$2 bill, took the change, hurried aboard the train, and found myself one dollar short. I said nothing at the time, but yesterday, being up town, I called at the station, and on stating the date (Aug. 1) and time of day I received my dollar in an envelope. It had awaited my coming. Hencr to whom hence.

# A Brave Act.

TO THE EDITOR OF THE SUN-Sir: The bravest et I ever witnessed was done yesterday. A party of laring men and boys was bathing in Mr. Schmults's clay bering men and boys was bathling in Mr. Schmults's clay pit at Hacker each, and one of the party slipped into a deep hole, and, being unable to swim, went down. He came aimost to the top of the water and went down again. The rest of the party were so trightened they did nothing but yell. "Man drowned! Man downed!" Capt. William Back of Newark, visiting at Mr. Schmulte's, hearing the cry, tore off his clothes sprang into the water and dived. After taily a minute he brought hap the bedy, but heaving no heigh the weight was too much, and he let co. But down he wentingtim, struggled to the top with the man, and by the heigh of the ethers, who made a chain, he brought the man aniore, where he was rolled and stood on his head until de recovered.

Naw Youk, Ang. "2

## 119 Persons Burned in a Barn.

Front the London Times. Some days ago Bussian letters reported that it? persons had been harned in a barn. Saturally, the story was received with incredibity, but the St. Peters burg does declares that it is only too true. According to this journal, it's wanen and girk gaplewys on a large turnin farm in the distract of Panuol, in the distract at Konya. Southern Russia, were much dissatisfied with the breast supplied by the Firm steward adjusting that it was ufficient ited and threatening to beyond that it was ufficient reset and threatening to beyond they it was not to rest district the botton tends of the attention. The showard larked them in and work away; but four farm the first came and set fire to the form. The showard larked them in and work away; but four farm that it is a sure and set fire to the form was in flames. The shifteness in some formula presence soon brought some persons to be made in the charge of the distract persons the distract persons the distract persons the distract persons and th Some days ago Russian letters reported that

## Lient, Flipper Charged with Fraud.

For the Gide Denoral.

San Antonio, Texas, Aug. 18.—The Ericess
San Antonio, Texas, Aug. 18.—The effect that

### Disappearance of a Mine. Print the Darranie Beamming.

"It don't do to fool with giant powder," said It then strateging in the Engineering office. It is can stuff that a Strickstrane ever in the Common start, that a Strickstrane ever in the Common startists of earlier the classical common is sufficient to the Common start to be sufficient as a common see in the common and common seed of the common start to the common start

Ex-Senator Conkling Buys an Island. Bros Eville, Ont., Aug. 23. It is reported that a Separate Considing has a separated Rebiuson Island, just a Separter Consumy has proved

When leaving home for the smomer the prodest provide themselves with the Jayne's Carminative Hayan in other to treat promptle and effectually all after so of crains, distribute, downless, choice a morbon, Antonio plaints more or less prevalent every where at this school is the year - A fe.

BUNBEAMS

-There are now over 400 boat clubs nthis

-Two boys died suddenly at York, Pa,

lately. Hemlock was found in their stomachs. They had been in the woods. -The Brantford (Canada) Mail says that

although the town has been exceptionally fall, there has been but little drunkenness. This it attributes to whitekey knocking under to lager.

-A correspondent of Forest and Stream gives the following anti-mosquito recipe: Three onness sweet oil, one ownee carbolle acid. Bub in every half hour until the pores have thoroughly absorbed it. -The Board of Health of Cleveland, Ohlo. has established a system of inspection of irregular houses and registry of their lumates. This was once

done in St. Louis, but howled down by the "unco gud. as legalizing vice. -A correspondent writes that the daughters of the Prince of Wales are models in simplicity of attire. In summer a simple white muslin freek for sport

ing, and washing prints for morning; in winter a lay dress of fine serge. -The Rev. Thomas Harrison, the "boy evangelist," is now not only a man in years, but quite able to manage his own worldly affairs. Beto a camp meeting at Acton, Ind., he demanded \$100 in advance for four days' services.

-The name and exterior of the Pacific Garden, Chicage, remain the same as when it was a resort for beer and music, but the unwary sincer was enters now flads himself in a religious mission, expect to the exhortation of an able evangelist.

-There is a pastor in Maine who, if the Congressionalist describes him correctly, runs three churches, a salmon fishery, a large farm, a coal office, teamster's route, a stage line, a public bath, and a mineral spring, besides hobling several public offices. -John Hunnell opened a barroom at

Evansville, Ind., and one of his first and heaviest deers was his youthful brother Tom. Taisgrieved John, and he refused to sell any more whiskey to Tom, but Tom resented this prohibition, and shot John dead i -Dr. Barthelmess of Nuremberg makes

the extraordinary announcement that recent analyses have discovered and scientifically determined the cresence of coral formations in meteorolites, and evidence, therefore, of animal-vegetable life in other celestial bodies -Mr. Peterson of Peterson's Magazine is

said to read every proof of his magazine, in consequence of the horrid experience some years ago of Mr. Godey who, having inserted what seemed to be an eloquent not innocent conundrum, was horrised, on receiving the answer to it, to find it to be a shockingly vulgar and in decent word. -Some queer persons are tolerated at the Spiritualist camp meeting at Mount Pleasant, Mass., but

Mr. Young was regarded as undesirable, and given three hours to quit the grounds. He opened a tent as a fortuse teller and divorce lawyer, his plan being to give wives pretended revelations of their husbands' conduct, and then get a fee for attempting to obtain divorces. -Two belies had a fight on the veranda of a White Mountains hotel. The cause is a secret, but the encounter was public, being in the presence of about fity quests. The girls scratched faces, pulled hair, and tors

clothes in a lively manner for a few seconds, and were not parted before both bore marks which lasted several days. They belong to wealthy and reputable families. -Lord Beaconsfield's executors have evidents; exercised sound discretion in turning as soon as possible into money all he left convertible. That where was no time to be lest in taking advantage of the sentment of the hour is shown by the fact that the whole of the British empire has only subscribed \$25,000 for a memorial to one who three years ago schieved the

zenith of his fame, and was the idol of the day. -Few leading noblemen have suffered so much in pecket by the Land Lengue troubles as the young Marquis of Lanstowne, who seeded from the Government on the Irish question. The bulk of his in-come was drawn from Ireland. His English property, too, has been much affected. Thus the hospitalities of Bowood and Lansdowne House, always profered to dis-tinguished Americans, have been greatly curtailed of late.

-The Anti-Mendicity is one of the oldest and most valuable of the charitable societies of Limiter. Subscribers can give tickets to begrars, and they are re lieved if deserving. The begging letter department is a special feature of the institution. The records include a company has a venerable officer of marvellous memory who is a perfect terror to the institions begging letter writer, having "spotted" frundreds at them. -The attendants at Brother Moody's

warm afternoon meetings at Northfield, Mass., 201 drowsy, and some of them sleep soundly through the sermon. Annoyed by the sight, the evangelist said. "It you are inclined to sleep, you may do as they do in the churches in Scotland. It's the custom there, somewhat, for members of the congregations when sleepy to rise up in their pews and fold their arms. Now do that it won't disturb the speaker half as much as to sit and sleep.

-The administration of the criminal laws is so lax in New Orleans that a committee of a hur tizens has been formed for the purpose, as its all states, of "suppressing crime and rowdyism at all has ards," also, to "coerce public servants, high and low to the full, faithful, and learless performance of their luties, and to protect them in the discharge of the some ? This body is a secret one, however, the names of the members being withheld from mubilication, and hims are

given out that its methods will be those of Judge Lynn -William Brooks attempted to shoot his wife, at shelby, N. C. The indignation of his neighbors was outspoken, and they proposed to have him pros-cuted; bus he said that they need not go to that trouble, for he fully realized his despicable character, and would punish himself with death on the following day. Next morning he shouldered his gan and a rope and struct for the woods, telling his family that when they heard a could get his body. They did not believe him: yet they

went in search of him on hearing the promised sunst, and found him dead. -A London paper says: "The great box filled with papers in Lord Heaconsfield's study at lingle-enden has not yet been handed into Lord Rowsen's charge, nor will it be till the admit istration of the estate is further advanced. The number of letters is almost a calculable. Lord Beaconsfield having a habit of never destroying a letter. He kept everything, and a narrelous collection it is. Lord Bowton recognizes that isstruction is his first duty. Most of the letters address:1 Probably a wholesale publication of the manuscrithe large box would create a sensation throughout Eugland scarcely less than that of an earthquake."

-An eleven-year-old boy, in Paterson, N. J., not having the means of getting an ediscular, had adopted the plan of securing it through the daily posers. From his scanty means he buys regularly Tax. the Press of Paterson. From Tax was he destrue! grammar, geography, and speling, her success quantal with the politics of the would world, is introduced by poets, celebrated men of letters of the Oct and New World. learns of the exact agracultural condition of the way earth's surface, and the wealth of its mines, knows all about the new inventions of the day, reads a feet of from the choicest literature. From the Proche sets in a information about Paterson affairs. He will be a great

man, perhaps. -There is a Sleepy Hollow in the Calskills which is regarded, no doubt correctly, as the sent where Washington Irving located his legend of 1912 Van Winkle." It is a wild and highly pictures put with its open end overlocking the valley of the in-our and the other extending up between two bulks tains The prespitous road to Catisin Mountain is a through it, and a tavers affords been and in how to eccusion parties. The path taken by Hipsin has so the training is pointed out, of course, and a rough on it, following the story bed of a creek, also the analysis of the same the story bed of a creek, also the analysis of the same the story bed of a creek, also the analysis of the same the story bed of a creek, also the analysis of the same the story bed of a creek, also the analysis of the same than tre in which Hendrich Hudson's nieu rolled temp-rock on which hip met the fellow with the schunges, and the tree under which the twenty sleep was taken. The visitor may be focusale or to hear some thunder, which reverterance an nountains exactly as the noise of tengin balls t responding size. But there is an irreverent god who, In moments of confidential intercourse, exa beinef that the Rip Van Winkle adventure navel on f happened.

-Prof. Schlager, director of a noted insame asylum at Venna, annothers the result of a ments made by him in relation to the being given theory, which at one time attracted so much about America as well as a total. He had a from him with windows of bins glass, and had the wallers, the same color. He then selected sixty persons we more or less deranged mentally, and made them: sects of experimentation for a partial of this case ing them at selected times in the later room to be noting the apparent effects upon them. He in the bine light and he expresses the course with persons thus mentally deranged with all other method of treatment has laund, the tried. He does not report any complete cures this means alone, but says that in most cases I'ment has presed between head, and that if comterminically and persistently, the indication is will lead to complete textoration. In no case to polary. The expression the intention to continue community and calls upon all associates and the transmitted the assume to do the same, careful notes of their observations. Pro- co so made valuable and interest or experiments i gish and apathetic temperaturate by expense th similar manner to red light. The conclusions nerve based upon externa and surpoless study and all of the thon, and are attracting deserved attenuell.